

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

CAROLYN S. MITCHELL

Plaintiff,

versus

POSTMASTER GENERAL, LOUIS
DEJOY,

Defendant.

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CIVIL ACTION NO. 1:13-CV-00718-MAC-
ZJH

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

On December 17, 2013, the court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for all pretrial matters pursuant to a standing order. Pending before the court is Defendant Postmaster General’s “Motion to Dismiss or Alternatively, Motion for Summary Judgment” (“Motion for Summary Judgment”) (#119). Plaintiff Carolyn Mitchell filed a pending “Motion for Leave to File Objections to Defendant’s Motion for Summary Judgment” (#121), and a pending “Motion Request for Trial by Jury” (#124), which the magistrate judge collectively construed as Mitchell’s “Response.” On October 24, 2022, the magistrate judge issued his Report and Recommendation (#128), recommending that the District Court grant the Postmaster General’s Motion for Summary Judgment (#119). The court has received and considered the report. The parties have not filed objections to the report and recommendation, and the time for doing so has passed. *See* 28 U.S.C. § 636(b)(1)(C).

It is therefore **ORDERED** that the report and recommendation of the magistrate judge (#128) is **ADOPTED**. Defendant Postmaster General's Motion for Summary Judgment (#119) is **GRANTED**. The court will issue a Final Judgment separately.

SIGNED at Beaumont, Texas, this 29th day of November, 2022.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE